

**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION**

EDWARD PEÑA and BRANDON MILLER,
individually and on behalf of those similarly
situated,

Plaintiffs,

v.

INTERNATIONAL MEDICAL DEVICES,
INC., MENOVA INTERNATIONAL, INC.,
GESIVA MEDICAL, LLC, JAMES J. ELIST,
M.D., a Medical Corporation, and Dr. James
ELIST,

Defendants.

Case No. 2:22-cv-03391-AH-RAO

STIPULATION AND ORDER OF DISMISSAL WITH PREJUDICE

IT IS HEREBY STIPULATED AND AGREED, by and among Plaintiffs Edward Peña and Brandon Miller (together the “Plaintiffs”) and Defendants International Medical Devices, Inc., Menova International, Inc., Gesiva Medical, LLC, James J. Elist, M.D., a Medical Corporation, and Dr. James Elist, through their respective counsel, that all claims asserted in the Third Amended Class Action Complaint are hereby dismissed with prejudice as to the individual claims of Plaintiffs and without costs. The claims of the putative class members are dismissed without prejudice.

EDWARD PEÑA and BRANDON MILLER,

INTERNATIONAL MEDICAL DEVICES,
INC., MENOVA INTERNATIONAL, INC.,
GESIVA MEDICAL, LLC, JAMES J. ELIST,
M.D., a Medical Corporation, and Dr. James
ELIST

By their attorneys,

By its attorneys,

CADDELL & CHAPMAN

SHOOK HARDY & BACON LLC

/s/ Michael A. Caddell

Michael A. Caddell
628 East 9th Street
Houston, TX 77007
Phone: (713) 751-0400

/s/ Jennifer M. Stevenson

Amir M. Nassihi
Michael L. Mallow
Jennifer M. Stevenson
2555 Grand Blvd.
Kansas City, MO 64108
Phone: (816) 474-6550

SO ORDERED:

Dated: _____

The Honorable Judge Anne Hwang
U.S. District Court Judge